

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

TROOPER 1,

Plaintiff,

v.

NEW YORK STATE POLICE, ANDREW CUOMO,
MELISSA DEROSA and RICHARD AZZOPARDI,

Defendants.

22-cv-00893 (LDH)(TAM)

Oral Argument Requested

**DECLARATION OF JULIE R. F. GERCHIK
IN SUPPORT OF NONPARTY LINDSEY BOYLAN'S MOTION TO QUASH
DEFENDANT ANDREW CUOMO'S DOCUMENT SUBPOENAS**

I, JULIE R. F. GERCHIK, hereby declare to the best of my knowledge:

1. I am an attorney duly licensed to practice law before all courts of the State of California, and a partner of Glaser Weil Fink Howard Jordan & Shapiro LLP.

2. I have been admitted to appear *pro hac vice* on behalf of Ms. Boylan in the above-captioned matter.

3. I submit this declaration in support of Non-Party Lindsey Boylan's Motion to Quash Defendant Andrew Cuomo's Document Subpoenas.

4. Attached hereto as **Exhibit 1** is a true and correct copy of Luis Ferré-Sadurní's and Grace Ashford's January 13, 2022 New York Times article *An Emboldened Cuomo Takes Swings at Accusers and Investigators*, available at: <https://www.nytimes.com/2022/01/13/nyregion/andrew-cuomo-rita-glavin.html>.

5. Attached hereto as **Exhibit 2** is a true and correct copy of the OAG's Report of Investigation into Allegations of Sexual Harassment by Governor Andrew M. Cuomo, dated August 3, 2021 (the "OAG Report"). The report and accompanying appendices are *available* at:

<https://ag.ny.gov/press-release/2021/independent-investigators-find-governor-cuomo-sexually-harassed-multiple-women>. Redacted videos and transcripts of sworn testimony taken for the investigation are *available* at: <https://ag.ny.gov/CuomoIndependentInvestigation>.

6. Attached hereto as **Exhibit 3** is a true and correct copy of the Subpoena to Testify at a Deposition, dated March 30, 2023, served by Governor Cuomo on Ms. Boylan in connection with the Trooper 1 Action.

7. Attached hereto as **Exhibit 4** is a true and correct copy of the Subpoena to Produce Documents, dated March 30, 2023, served by Governor Cuomo on Ms. Boylan in connection with the Trooper 1 Action.

8. Attached hereto as **Exhibit 5** is a true and correct copy of a Notice to Subpoena, dated May 10, 2023, corresponding to a Subpoena to Produce Documents addressed to the Empire State Development Corporation.

9. Attached hereto as **Exhibit 6** is a true and correct copy of a Notice to Subpoena, dated June 20, 2023, corresponding to a Subpoena to Produce Documents addressed to the Office of the Governor of New York State (“Executive Chamber”).

10. Attached hereto as **Exhibit 7** is a true and correct copy of a Notice to Subpoena, dated May 11, 2023, corresponding to a Subpoena to Produce Documents addressed to Howard Zemsky.

11. Attached hereto as **Exhibit 8** is a true and correct copy of a Notice to Subpoena, dated May 10, 2023, corresponding to a Subpoena to Produce Documents addressed to Elizabeth Fine.

12. Attached hereto as **Exhibit 9** is a true and correct copy of a Notice to Subpoena, dated June 20, 2023, corresponding to a Subpoena to Produce Documents addressed to Lindsey for New York.

13. Attached hereto as **Exhibit 10** is a true and correct copy of a Notice to Subpoena, dated May 15, 2023, corresponding to a Subpoena to Produce Documents addressed to Cade LeBron.

14. Attached hereto as **Exhibit 11** is a true and correct copy of a Notice to Subpoena, dated June 20, 2023, corresponding to a Subpoena to Produce Documents addressed to Verizon.

15. Attached hereto as **Exhibit 12** is a true and correct copy of the Impeachment Investigation Report to Judiciary Committee Chair Charles Lavine and New York State Assembly Judiciary Committee (the “AJC”), dated November 22, 2021, *available* at: https://nyassembly.gov/write/upload/postings/2021/pdfs/20211122_99809a.pdf.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct and that this declaration is executed on June 30, 2023 in Los Angeles, California.

/s/ Julie R. F. Gerchik
Julie R. F. Gerchik